

Amendments to House Bill No. 449  
1st Reading Copy

Requested by Representative Bill McChesney

For the House Local Government Committee

Prepared by Joe Kolman  
February 18, 2009 (2:20pm)

1. Title, line 10.

**Following:** "WATER AND SEWER DISTRICT;"

**Insert:** "CLARIFYING THE LEVY OF DISTRICT WATER OR SEWER TAX TO  
PAY EXPENSES OF OR CLAIMS AGAINST THE DISTRICT;"

2. Title, line 11.

**Following:** "CLARIFYING THE"

**Insert:** "ACCOUNTS FOR DEPOSIT OF PROCEEDS OF, AND THE"

3. Title, line 12.

**Following:** "PREMIUMS ON"

**Insert:** ", "

4. Title, line 16.

**Following:** "7-13-2301,"

**Insert:** "7-13-2302,"

5. Page 7.

**Following:** line 7

**Insert:** "Section 7. Section 7-13-2302, MCA, is amended to read:

**"7-13-2302. Levy of taxes to meet bond obligations and other expenses.** (1) If for any reason the revenue of the district is inadequate to pay the interest or principal of any bonded debt as it becomes due, exclusive of revenue or special assessment bonded indebtedness incurred pursuant to 7-13-2333 or bonded indebtedness incurred to refund the revenue or special assessment bonded indebtedness without authorization at an election, or any other expenses or claims against the district, then the board of directors shall, at least 15 days before the first day of the month in which the board of county commissioners of the county, city and county, or counties in which the district is located are required by law to levy the amount of taxes required for county or city and county purposes, furnish to the board or boards of county commissioners and to the auditor or auditors, respectively, an estimate in writing:

(a) of the amount of money required by the district for the payment of the principal of or interest on any bonded debt as it becomes due;

(b) of the amount of money required to establish reasonable reserve funds for either purpose, together with a description of

the lands benefited by the bonds, as stated by the board of directors in the resolution declaring the necessity to incur bonded indebtedness; and

(c) of the amount of money required by the district for any other purpose set forth in this section.

(2) The board of county commissioners of the county or city and county, annually, at the time and in the manner of levying other county or city and county taxes, shall:

(a) until any bonded debt is fully paid, levy upon the benefited lands and collect the proportionate share to be borne by the land located in their county of a tax sufficient for the payment of the bonded debt, to be known as the ..... district bond tax; and

(b) until all other expenses or claims are fully paid, levy upon all of the lands of the district and collect the proportionate share to be borne by the land located in their county of a tax sufficient for the payment of the ~~bonded debt~~ other expenses or claims, to be known as the ..... district water and/or sewer tax.

(3) Taxes for the payment of any bonded debt must be levied on the property benefited, as stated by the board of directors in the resolution declaring the necessity for the bonds, and all taxes for other purposes must be levied on all property in the territory comprising the district."

{ Internal References to 7-13-2302:

7-13-2303x      7-13-2309x      7-13-2333 x      7-13-2333x }"

**Renumber:** subsequent sections

6. Page 8, line 8.

**Following:** "projects account"

**Insert:** "or in a separate general obligation bond or note account created in the state special revenue fund established in 17-2-102"

- END -

the lands benefited by the bonds, as stated by the board of directors in the resolution declaring the necessity to incur bonded indebtedness; and

(c) of the amount of money required by the district for any other purpose set forth in this section.

(2) The board of county commissioners of the county or city and county, annually, at the time and in the manner of levying other county or city and county taxes, shall:

(a) until any bonded debt is fully paid, levy upon the benefited lands and collect the proportionate share to be borne by the land located in their county of a tax sufficient for the payment of the bonded debt, to be known as the ..... district bond tax; and

(b) until all other expenses or claims are fully paid, levy upon all of the lands of the district and collect the proportionate share to be borne by the land located in their county of a tax sufficient for the payment of the ~~bonded debt~~ other expenses or claims, to be known as the ..... district water and/or sewer tax.

(3) Taxes for the payment of any bonded debt must be levied on the property benefited, as stated by the board of directors in the resolution declaring the necessity for the bonds, and all taxes for other purposes must be levied on all property in the territory comprising the district."

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